

**SECTION L**  
**INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS**

**L-1. 52.204-6 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (JUNE 1999)**  
(Reference 4.603)

**L-2. 52.211-14 NOTICE OF PRIORITY RATING FOR NATIONAL DEFENSE USE (SEP 1990)**  
(Reference 11.604)

**L-3. 52.214-34 SUBMISSION OF OFFERS IN THE ENGLISH LANGUAGE (APR 1991)**  
(Reference 14.201-6)

**L-4. 52.214-35 SUBMISSION OF OFFERS IN U.S. CURRENCY (APR 1991)**  
(Reference 14.201-6)

**L-5. 52.215-1 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (MAR 2001)**  
(Reference 15.209)

**L-6. 52.222-24 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)**  
(Reference 22.810)

**L-7. 52.222-46 EVALUATION OF COMPENSATION FOR PROFESSIONAL EMPLOYEES (FEB 1993)**  
(Reference 22.1103)

**L-8. 52.232-38 SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (MAY 1999)**  
(Reference 32.1110)

**L-9. 52.216-1 TYPE OF CONTRACT (APR 1984)**

The Government contemplates award of a requirements contract resulting from this solicitation.

(End of provision)

**L-10. 52.233-2 SERVICE OF PROTEST (AUG 1996)**

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from Contracting Officer, TRICARE Management Activity, Contract Management Division, 16401 E. Centretech Parkway, Aurora, CO 80011-9066.

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

(End of provision)

**L-11. GENERAL**

L-11.1. This section provides instructions for preparing proposals. Offerors are cautioned to follow Section L-12., Information, and L-13., Proposal Preparation, instructions carefully to assure the Government receives consistent information in a form that will facilitate proposal evaluation.

L-11.2. Proposals will be evaluated on both written and oral information submitted and presented by offerors. Alternate proposals will not be accepted or evaluated. The Government intends to evaluate proposals and award a contract without discussions. Therefore, offerors' initial proposals should contain their best terms from a price and technical standpoint. The Government reserves

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the right to conduct discussions if the Contracting Officer determines them to be necessary.

L-11.3. Proposals shall be clear, concise, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims. The proposal should not simply rephrase or restate the Government's requirements, but shall provide convincing rationale to address how the offeror intends to meet the requirements. Offerors shall assume that the Government has no prior knowledge of their facilities and experience.

L-11.4. The Government reserves the right to incorporate into the awarded contract those elements of an offeror's proposal that exceed the Government's minimum requirements or offer a unique approach to meeting those requirements. These elements must be specifically identified as enhancements by the offeror in their written proposal.

L-11.5. Elaborate brochures or documentation, binding, detailed artwork, or other embellishments shall not be submitted. Similarly, for the oral presentation, elaborate productions are not desired.

L-11.6. In accordance with Federal Acquisition Regulation Subpart 4.8, Government Contract Files, the Government will retain one copy of all proposals. The Government will destroy extra copies of unsuccessful proposals.

**L-12. INFORMATION**

L-12.1. Section L provides instructions for preparing proposals. Offerors are cautioned to follow the instructions carefully to assure the Government receives consistent information in a form that will facilitate proposal evaluation.

L-12.2. Quantities identified in Section B are (1) estimates based on historical data (see Section L, Attachments L-1 and L-2), where available, or (2) projections of future use.

L-12.3. Offerors will submit their anticipated organization structure fifteen calendar days prior to the submission of proposals (see Past Performance section below). This document must include the prime contractor and major first tier subcontractors. The organization structure will include addresses and telephone numbers. In the case of a joint venture or other business structure, a clear description of the organizational relationships must be disclosed.

L-12.4. Proposals shall be marked as follows:

(Offeror's company name)  
MDA906-03-R-0004  
National Quality Monitoring

L-12.5. Offerors are to submit proposals to the Contracting Officer at the address indicated below. The proposals are to be in electronic format, on CD-ROM, compatible with Microsoft Office XP applications. Oral presentation slides are to be in the same format. Each CD-ROM submitted shall be read only. In addition, each CD-ROM must be made "final." "Final" is a recording option that renders the CD totally used so no other data tracks can be added. Two copies are to be submitted. Do not use compressed file formats. Documents such as annual reports, previously printed materials, graphics or any other documents that cannot be submitted in electronic form are exempt; two hardcopies of these materials will be submitted. The signed original Standard Form 33, and Sections B and K, shall be submitted in hardcopy. In the event that there is a discrepancy between the submitted hard copy documents and the electronic version of the documents, the electronic version submitted by the offeror will be considered the accurate document. Proposal (CDs and required hardcopies) should be sent to:

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Department of Defense  
TRICARE Management Activity  
Contract Management Division, Contract Management Acquisition Branch  
(CMAQ)  
Contracting Officer, National Quality Monitoring Proposal  
16401 East Centretech Parkway  
Aurora, CO 80011-9066

L-12.6. Each CD-ROM will include the proposal date, the solicitation number, and be identified as the price proposal, technical proposal, past performance information, financial information, and subcontracting plan. A separate CD is required for each of the price proposal, technical proposal, past performance information, financial information, and subcontracting plan. Submissions will be virus free.

L-12.7. The proposal acceptance period is specified in Block 12 of the Standard Form 33. Offerors are instructed to indicate in Block 12 that the proposal is valid for a minimum of 180 calendar days. Proposals which indicate acceptance periods other than 180 calendar days will be deemed not to meet proposal submission requirements.

L-12.8. Proposals will be evaluated based on written and oral information submitted and presented by offerors. Past Performance will be evaluated utilizing written information submitted by the offeror and information obtained from other sources in accordance with M-9. Proposals (written and oral) should contain the offeror's best terms from a price and technical standpoint. Offerors shall assume that the Government has no prior knowledge of their capabilities and experience.

L-12.9. If a final proposal revision is requested during this acquisition cycle, specific instructions shall be given at that time.

L-12.10. Offerors must propose processes and procedures to achieve these objectives. Post award, in administering this contract, the contractor's contractual obligation and the Government's measurement of the contractor's performance will be based on the contractor's ability to perform to the standards required by the Government.

L-12.11. The Contracting Officer and the Contract Specialist are the sole points of contact for this procurement. Questions regarding the solicitation or other concerns are to be submitted electronically to the Contracting Officer/Specialist via the National Quality Monitoring solicitation website, accessible at:

<http://www.tricare.osd.mil/contracting/healthcare/solicitations/index.cfm>

L-12.12. Questions must be submitted through the T-NEX website identified above. Responses will be communicated to all interested parties through the TNEX NQMC website. Questions submitted more than 15 days after the issuance of the RFP may not be addressed by the Government.

L-12.13. The remarks, explanations, and answers provided by Government representatives, at any time, whether orally or in writing, will not change or qualify any of the terms or conditions of the RFP. The RFP can only be changed by the Contracting Officer.

L-12.14. Paper copies of the RFP are not available.

L-12.15. Offerors may access the associated TRICARE Manuals through the NQMC solicitation website, accessible at:

<http://www.tricare.osd.mil/contracting/healthcare/solicitations/index.cfm>

Paper copies or CDs are not available.

L-12.16. PREPROPOSAL CONFERENCE

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L-12.16.1. A pre-proposal conference will be held in the Denver, Colorado Metropolitan area approximately 2-4 weeks following release of the RFP. It is anticipated that a separate information certification and security conference will be conducted in conjunction with the pre-proposal conference. Further details will be provided via email to those offerors who registered as potential offerors on the TMA contracting website at <http://www.tricare.osd.mil/contracting/healthcare/solicitations/NQMC>. Offerors are encouraged to submit written questions concerning the requirements of this Request for Proposals (RFP) at least 5 working days prior to the start of the pre-proposal conference.

L-12.16.2. Offerors must pre-register on the TMA contracting website <http://www.tricare.osd.mil/contracting/healthcare/solicitations/NQMC> prior to the conference date. If an offeror does not pre-register by the time indicated, attendance at the pre-proposal conference will be permitted on a space available basis only. If no offerors have pre-registered prior to the conference date, the pre-proposal conference will be cancelled. No alternate conference will be scheduled. Attendance is at the sole expense of potential offerors.

L-12.16.3. The remarks, explanations, and answers provided by Government representatives before, during, and after the pre-proposal conference, whether orally or in writing, shall not change or qualify any of the terms or conditions of the RFP. The RFP can only be changed by a formal written amendment issued the Contracting Officer.

**L-13. PROPOSAL PREPARATION**

L-13.1. The proposal will consist of a completed Standard Form 33-Solicitation, Offer and Award; a technical proposal, as described in L-13.7.1., and oral proposal slides; a price proposal, to include Section B-Supplies or Services and Prices/Costs; past performance information; Section K-Representations, Certifications, and Other Statements of Offerors or Respondents. Proposals will be reviewed for completeness and for compliance with the instructions provided in this request for proposals. Proposals that do not include all required information, or do not comply with preparation instructions may be rejected.

L-13.2. A proposed subcontracting plan will be submitted with the proposal, unless the offeror certifies in Section K to be a small, small disadvantaged, or woman owned small business.

L-13.3. The primary component of the technical proposal is the oral presentation/proposal. The technical proposal will be separated into two sections: Section 1-oral proposal slides and Section 2 - written documentation required by the RFP.

**L-13.4. Oral Proposal Process**

L-13.4.1. Offerors will be scheduled for an oral proposal by telephone and email after the closing date for submission of written proposals. Offerors will be scheduled for their oral proposal by a random drawing conducted by the Contracting Officer. Offerors will be notified of their oral proposal date at least 5 calendar days prior to the presentation date. Requests for rescheduling will not be accepted. If an offeror is not present at the scheduled time for its oral proposal, the offeror will be disqualified from further consideration for award in accordance with the late proposal submission provision (FAR 15.208 - Submission, Modification, Revision, and Withdrawal of Proposals).

The purpose of the oral presentation/proposal is to demonstrate the offeror's understanding of the requirements of the prospective contract and their capability, including staffing, to meet those requirements. This presentation will not be a marketing or sales presentation. The presentation will address the offeror's technical solution to the requirement. The price proposal and past performance information will not be addressed in the oral proposal.

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L-13.4.1.1. Offerors will clearly state the services which are being offered to the Government and their overall approach. Work flow diagrams are allowed. Offerors will specifically identify on the slides any proposed enhancements to include any standards that will exceed the stated Government standards. An explanation of how the offeror will meet the proposed higher standards and enhancements is required.

L-13.4.2. The presentation will be limited to three hours exclusive of breaks; one 15-minute break must be included near the midpoint of the presentation. It is the offeror's responsibility to present all applicable material within the allotted time. Offerors may use only computer generated slides. No video presentations will be allowed. Materials will be suitable for oral and visual presentation and will be numbered such that all presented material can be tracked. The Government will provide one computer loaded with Microsoft Office XP with associated projector, and a projection screen for the offeror's use during the oral presentation. Unnecessarily elaborate presentations beyond those sufficient to present a complete and effective response to this solicitation are not desired. Offerors will not be permitted to make audio or video recordings of the session. The Government will record the proceeding and furnish a video copy of the recording to the offeror subsequent to the conclusion of presentations by all offerors.

L-13.4.3. Presentation slides are to be submitted on CD-ROM with the proposal. Prior to the oral presentation, the Government will load the contents of this CD-ROM into the presentation computer. An outline of the order of the presentation will be included. No modifications or substitutions to this material will be accepted after the proposal submission date. Offerors will not present any information during the presentation that is materially inconsistent with the written submission (presentation slides and written proposal).

L-13.4.4. Oral presentations will be evaluated in accordance with Section M. The Government will only evaluate the information provided during the oral presentation. Any slide not individually addressed, discussed or presented during the oral presentation will not be evaluated. If there are discrepancies of a non-clerical nature between the information presented on the slides and the information presented orally, the information on the slides will take precedence.

L-13.4.5. The location for oral presentations will be at or near the TRICARE Management Activity, Aurora, CO. Offerors will be informed of the exact location by the Contracting Officer when that location has been determined. Prior to the start of the oral proposal presentation, but no later than 5 calendar days prior to the scheduled beginning of the oral presentation, the facility where the oral proposal will held will be identified to each offeror. The Government reserves the right to reschedule an offeror's presentation at the Government's discretion.

L-13.4.6. The oral presentation/proposal will not constitute discussions nor will it obligate the Government to solicit any revisions to offers.

L-13.4.7. The Government may incorporate into the awarded contract those elements of an offeror's proposal that exceed the Government's minimum requirements. If a factor is evaluated as part of the oral presentation, these elements must be specifically identified and addressed during the oral presentation by the offeror. Any proposed enhancements must be submitted in writing.

L-13.4.8. After completion of an offeror's oral presentation, a break will be taken to allow the Government to discuss potential clarification questions related to the presentation. After the break, the offeror will be presented with numbered written clarification questions. A 1 hour period will be allowed for the offeror to prepare answers to the clarification questions presented to it. The offeror will present its answers in the numeric order in which the questions are labeled.

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L-13.4.9. The Government will not ask any questions during an offeror's prepared portion of their oral presentation. After the initial and any follow-up presentations, the Government will only ask follow up questions for the purposes of clarification and will not be considered to be discussions. To the extent that communication is necessary, the following guidelines will be applied: Exchanges will be conducted by presenting written clarification questions to the offeror after the prepared portion of the initial and all follow-up oral presentations. These questions serve to enhance the Government's understanding of the proposal, allow reasonable interpretation of the proposal, and/or facilitate the Government's evaluation process. These exchanges will not be used to cure proposal weaknesses or material omissions, materially alter the technical or price elements of the proposal, and/or otherwise revise the proposal. These exchanges will not provide an opportunity for an offeror to revise its proposal, but may address ambiguities in the proposal or other concerns such as minor errors or mistakes.

L-13.4.10. Key company personnel, to include subcontractor personnel (if applicable) designated with direct responsibility for the areas they are presenting will conduct the oral proposal. No outside consultants will be used in the presentation. The presentation must clearly demonstrate an offeror's capability, organization and method of performing the services required. Only the presentation team will be permitted to attend the oral presentation; the offeror may also bring one non-presenter as part of the presentation team to assist in the presentation (e.g., advance presentation slides), if desired.

L-13.4.11. The sample schedule for oral presentations is outlined below. Time limits on the offeror will be strictly enforced.

Local Denver, CO Time

7:00 a.m.	Presentation room is open to offeror
8:00 a.m.	TMA/Offeror introductions and instructions
8:30 a.m. - 11:45 a.m.	Offeror's presentation (including one 15-minute break)
11:45 a.m. - 2:15 p.m.	Lunch (TMA develops clarification questions)

The schedule depicted below will be followed if clarification questions are deemed necessary:

2:15 p.m.	Offeror presented with TMA clarification questions
1 hour	Offeror prepares answers to TMA questions
1 hour	Offeror presents answers to the Evaluation Team

L-13.5. Oral Presentation Format

L-13.5.1.     Factor 1 - Management  
                  Subfactor 2 - Management  
                  Subfactor 3 - Staffing  
                  Subfactor 4 - Internal Quality Management Program (IQMP)

L-13.5.2.     Factor 2 - Technical Approach  
                  Subfactor 1 - Case Reviews  
                  Subfactor 2 - Facility Certification

L-13.6. Oral Presentation Topics

Oral presentations will address the following topics in the following order:

L-13.6.1. Factor 1 - Management, Subfactor 2 - Management

L-13.6.1.1. The offeror shall present its ability to manage contractor and subcontractor operations, as they pertain to the offeror's proposal, in a manner that will ensure the successful operation of all work associated with the requirements of the RFP. The offeror will present, in detail, management strategies and their application to Section C. Describe management structure,

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key personnel, lines of authority, and the reporting interfaces between the offeror and the Government.

L-13.6.1.2. The offeror's ability to prepare the required reports will be presented. The offeror will detail its plans for preparing, reviewing, and submitting the required reports (i.e., monthly, quarterly, semi-annually, and Clinical Quality Management Program (CQMP)), in addition to its approach to preparing final determinations on responses from MCSCs and DPs, as required by Section C.

L-13.6.1.3. The offeror will present its approach for obtaining appropriate staff to conduct on-site facility reviews. This approach must demonstrate the ability to provide the appropriately qualified staff, as specified in Section C.

L-13.6.1.4. The offeror will present its approach for ensuring comprehensive, independent, and objective reviews. The offeror will also present its ability to document these reviews, and its understanding of TRICARE's need for substantive review analyses.

L-13.6.2. Factor 1 - Management, Subfactor 3 - Staffing

L-13.6.2.1. The offeror will provide its rationale for concluding that it has an adequate number of licensed, board-certified, actively-practicing physician reviewers in all ABMS or BOS specialties, and non-physician reviewers, to perform the required work.

L-13.6.2.2 The offeror will provide its qualifications for first-level reviewers, who will be applying InterQual and ASAM criteria. The offeror's rationale for the proposed staffing levels for these reviewers shall also be provided.

L-13.6.2.3. The offeror will demonstrate its access to, and ability to obtain, licensed, actively-practicing physician reviewers board-certified in all specialties recognized by the American Board of Medical Specialties (ABMS) or the Bureau of Osteopathic Specialists (BOS), and non-physicians reviewers.

L-13.6.2.4. The offeror will present its mechanisms for ensuring that its staff are appropriately qualified by education, training, and experience. The offeror will also present its procedures for ensuring that its staff are appropriately credentialed, along with its approach for ensuring that staff maintain their required qualifications and certifications while performing under this contract.

L-13.6.3 Factor 1 - Management, Subfactor 4 - Internal Quality Management Program (IQMP)

L-13.6.3.1. The offeror will present its proposed process and plans for its Internal Quality Management Program (IQMP).

L-13.6.3.2. The offeror will present the integration of its IQMP into this effort, and explain how integration of the IQMP will ensure accuracy and timeliness.

L-13.6.3.3. The offeror will present its processes to ensure that it satisfies the Staff Training Program (Part 5.0) and the Internal Audits and Management Control Programs (Part 6.0) of the OPM and TOM, Chapter 1, Section 4.

L-13.6.3.4. The offeror will discuss whether it is certified or accredited by, and compliant with, any external quality management standards, e.g., ISO 9000 (International Organization of Standardization).

L-13.6.4. Factor 2 - Technical Approach, Subfactor 1 - Case Reviews

L-13.6.4.1. The offeror will present its approach to identifying services that are not a TRICARE benefit.

L-13.6.4.2. The offeror will describe its approach to providing consistent and standardized reviews.

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L-13.6.4.3. The offeror will present its methods for evaluating that the MCSCs and DPs are performing preauthorization, retrospective, and pre-payment reviews consistent with TRICARE requirements.

L-13.6.4.4. The offeror will present its approach to assessing medical necessity and appropriateness of services, and to identifying preventable admissions, consistent with TRICARE requirements.

L-13.6.4.5. The offeror will present its approach to applying quality screens and medical judgment, when identifying quality issues, using process and outcome measures that focus on the delivery of health care. This presentation should include an overview of the proposed quality screens.

L-13.6.4.6. The offeror will present its approach to identifying, measuring, and evaluating superior health care services, to include the offeror's recommended approach to transferring identified successes.

L-13.6.4.7. The offeror will present its approach to validating DRGs and RUGs.

L-13.6.4.8. The offeror will present its approach to ensuring that all potential quality concerns, utilization concerns, inappropriate medical care, or preventable admissions are confirmed by a board certified, licensed physician, who is actively practicing in the clinical area being reviewed.

L-13.6.5. Factor 2 - Technical Approach, Subfactor 2 - Facility Certification

L-13.6.5.1. The offeror will present its approach to certifying and monitoring of Residential Treatment Centers (RTCs), Substance Use Disorder Rehabilitation Facilities (SUDRFs), and Psychiatric Partial Hospital Programs (PHPs). The offeror will present its plan for documenting findings of the facility certification reviews.

L-13.6.5.2. The offeror's approach to conducting reconsideration of denials for facility certifications will be presented in detail.

L-13.7. Written Proposal Submission Format

L-13.7.1. Technical Proposal

L-13.7.1.1. The written technical proposal is limited to the oral presentation slides; plans for compliance with records management, privacy, and security requirements (i.e., DITSCAP, physical security, and personnel security); and proposed enhanced standards (if any).

L-13.7.1.2. For each activity that the offeror will be required to accomplish in order to fulfill the requirements specified in this contract, including those documents incorporated by reference in Section C-2 of the SOW, where the Government has specified performance standards (e.g., timeliness standards), the submission of a proposal will be deemed by the Government as the offeror's commitment to perform at least at the required standards; it is not necessary for offerors to repeat Government specified standards in its written technical proposal. The offeror may, however, propose standards that exceed the Government's minimum. If an offeror elects to propose standards that exceed Government specified standards, the offeror's proposed standards must be included in the written technical proposal. The enhancements proposed by the successful offeror may be incorporated into the contract. Offerors are expected to understand the required activities of this procurement, whether these are set forth in the RFP or in an incorporated document.

L-13.7.1.3. Offerors shall tab each separate item provided in writing and include a Table of Contents to allow reviewers to easily locate specific documents. Offerors shall submit with their written proposal a copy of all visual materials to be used in the oral presentation.

L-13.8. Written Proposal Topics

L-13.8.1. Factor 1 - Management, Subfactor 1 - Privacy and Security



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L-13.8.1.1. The offeror will provide its plans to comply with records management. The offeror's plans for protecting beneficiary records consistent with Freedom of Information Act, the Privacy Act of 1974, the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act, the Health Insurance Portability and Accountability Act (HIPAA) of 1996, and Title 10 USC 1102, as they apply to this effort, must be provided. The offeror's plans for compliance with records management, privacy, and security requirements (i.e., DITSCAP, physical security, and personnel security) must be provided.

**L-13.9. Past Performance**

L-13.9.1. The offeror will submit information on its past performance and experience in a separately identified electronic submission. The past performance and experience information will be submitted 15 calendar days prior to the proposal due date. The offeror will submit a letter from all of its proposed first-tier subcontractors giving the Government permission to discuss any negative past performance identified for the subcontractor, partners, consortium members and key personnel, as pertinent, directly with the offeror.

L-13.9.2. The offeror will provide a Narrative Past Performance Report that describes the relevant past performance that the prime contractor and first tier subcontractor(s) have in performing work that is relevant to this solicitation. The term "Prime contractor", for the purpose of submitting past performance information, includes an entity that is a consortium of entities. The Narrative Past Performance Report (with 1 inch margins and Courier New font no smaller than 10 point) will not exceed 25 pages; each page after the first 25 will be discarded and not considered in the evaluation. For purposes of this section, a "first tier subcontractor" is a subcontractor, partner, consortium member, or key personnel, as pertinent, with a direct contractual relationship with the offeror who performs a major and critical role in the offeror's proposal. The Government will only consider relevant past performance gained within the last 3 years. (The last 3 years is defined as: 3 years as of 60 calendar days prior to the proposal due date.)

L-13.9.2.1. The offeror's Narrative Past Performance Report (for itself and each of the first tier subcontractors) shall include the current top five overall accounts based on gross revenues. The offeror will not include its team members, or itself, among these references. If the offeror, and/or its first tier subcontractors, has less than five accounts that are relevant to this solicitation, the offeror must so state. Further, the offeror may submit an additional 3 relevant accounts that it believes demonstrates to the Government the capability of the prime and subcontractors to perform the required services.

L-13.9.2.2. The information submitted in the Narrative Past Performance Report will include the following:

- Contract number and dollar value
- Relevance of the past performance to this solicitation
- Time period of this activity (beginning and end dates, if applicable)
- Relationship of the relevant past performance to the appropriate customer
- Customer primary and alternate contact name, email address, phone number, and fax number

Specifically, the offeror's Narrative Past Performance Report will discuss the scope of the work, any notable successes achieved through the offeror's efforts, any problems that developed, or negative relevant past performances and how the offeror responded. This information will only be used by the Government to determine the relevancy of the projects to this effort; it will not be used to determine any past performance rating. Additionally, the offeror will provide the data requested in Section L, Attachment L-3, for all projects referenced in the Narrative Past Performance Report; Section L, Attachment L-3 will not be included in the 25-page limitation.

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L-13.9.2.3. If at least 3 of the top 5 overall accounts do not include Government business (federal and state) and the offeror and/or its first tier subcontractors are engaged in Government business, submit a past performance record, completed and signed by the Government Contracting Officer or its equivalent, for the top three Government accounts, in terms of contract price. If the offeror, and/or its first tier subcontractor(s), has less than three Government accounts, the offeror must so state. (If any of the Government accounts also fall within the top five overall accounts, only submit the information once.)

L-13.9.2.4. If the offeror, or its first tier subcontractor(s), were formed solely for the purposes of proposing on this solicitation and the parent corporation or consortium has relevant past performance, the offeror will submit its top 5 account information on its parent organization or each member of the consortium. The offeror must document how the parent corporation's or consortium's past performance is relevant to this solicitation.

L-13.9.2.5. The offeror and each of its first tier subcontractors will submit information as specified in Section L, Attachment L-4 for the top 3 accounts (based on gross revenues) terminated and/or not renewed within the 36 months preceding the submission of the proposal. If the offeror or its first tier subcontractor(s) is engaged in Government business, the offeror will also submit the information requested above for the top 3 Government accounts (based on gross revenues). If 3 do not exist in either category, the offeror must so state. The offeror will provide a brief discussion of the work performed for each of the references supplied. Specifically, the offeror will discuss the scope of the work, any notable successes achieved through the offeror's efforts, any problems that developed, or negative relevant past performances and how the offeror responded.

L-13.9.2.6. The offeror will submit information on key personnel of prime and first tier subcontractors describing experience relevant to the proposal (Section L, Attachment L-5). Key personnel are those personnel or positions that play a critical role in the offeror's approach to achieving the proposal objectives; personnel identified as "key" by the offeror will require Government replacement, consistent with Section H. The key personnel information will address specific information on qualifications and demonstrated experience relevant to their proposed positions, including individual leadership qualities. Offerors are advised that TMA may contact none, any, or all references provided on the forms and may contact other third parties as determined necessary. Experience information will not be included in the Narrative Past Performance Report 25-page limit.

L-13.9.2.6.1. The offeror will provide resumes for all individuals identified by the offeror as key personnel. Resumes shall be limited to 2 pages each, and will not be included Narrative Past Performance Report in the 25-page limit.

L-13.9.2.7. The offeror will provide copies of final reports and/or findings issued to the prime contractor and any first tier subcontractor by any local, state or federal governing or regulatory/licensing body during the time period from 2 years prior to the submission of the past performance information. A report/finding is a report or finding that discusses in any manner the offeror's performance of any contract requirement or standard. Submit only those reports that have been issued as final (i.e., the contractor has had an opportunity to comment on the report in the time allocated). Explain any deficiencies reported in the evaluation and address the resolution of all findings. Provide updated information as appropriate. Provide a negative response if no reports or findings were issued.

L-13.9.2.8. Many companies have acquired, been acquired by, or otherwise merged with other companies, and/or reorganized their divisions, business groups, subsidiary companies, etc. In many cases, these changes have taken place during the time of performance of relevant past efforts or between conclusion of recent past efforts and this source selection. As a result, it is sometimes difficult

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to determine what past performance is relevant to this acquisition. To facilitate this relevancy determination, include a "roadmap" describing all such changes in the organization of your company.

**L-13.10. Financial Information**

L-13.10.1. The Government will review the financial information in order to determine financial responsibility. Per FAR 9.103, "In the absence of information clearly indicating that the prospective contractor is responsible, the contracting officer will make a determination of nonresponsibility."

L-13.10.2. Offerors must demonstrate adequate financial resources to perform the contract or be able to obtain such, including information on the offerors lines of credit, funding mechanisms and future plans for additional lines of credit. Offerors will submit the three most recent annual reports plus the most recently closed month's balance sheet and income statement. This data must be submitted on the parent corporation, on the subsidiary offeror and on any prior or prospective significant merger candidates. Offerors will clearly label all financial statements as audited or not audited.

L-13.10.3. Copies of adverse financial items uncovered in the last three years' State Insurance Department audits will be submitted, if applicable. Offerors will provide a supporting narrative, including a brief description of anomalies in the submitted financial data and a brief description of any projected increases and decreases in the offeror's business base.

L-13.10.4. Offerors that are start-up companies, without annual reports, will provide historical documents (e.g., tax returns), projected income statements and balance sheets, and narrative documentation supporting their ability to obtain financial resources to perform the contract.

**L-13.11. The Price Proposal**

L-13.11.1. Offerors shall complete Section B, Supplies or Services and Prices/Costs.

L-13.11.2. Cost or Pricing Data is not required. However, offerors shall provide information other than cost or pricing data for the Information Security Certification and Accreditation, Physical Security, and Personnel Security CLINS. In addition, contractors may be required to submit information other than cost or pricing data for additional CLINs if the Contracting Officer determines that such information is required to determine price reasonableness.

L-13.11.3. Offerors shall propose a firm-fixed price for transition-in services (CLIN 0001). This price will include all costs anticipated during the transition-in period (from contract award through six months following) to accomplish the transition-in requirements detailed in Section C.

L-13.11.4. Offerors shall propose separate fixed unit prices for all required reviews, appeal cases, and certifications as well as evolving practices, devices, medicines, treatments, and procedures for each option period. These prices will include all costs required to perform the required activities as set forth in Section C. The Government has established estimated quantities in Section B. The proposed unit prices shall be applicable to all quantities included on a delivery order, whether the total ordered in an option period is higher or lower than the estimate. The Government has included historical numbers of reviews and cases in attachments L-1 and L-2 to assist offerors in preparing the proposals.

L-13.11.5. Offerors shall propose separate fixed unit prices for required monthly, quarterly, semi-annual, and CQMP reports. These prices shall include all costs associated with the preparation and submission of these reports, as set forth in Section C. The Government has established the required number of reports in Section B.

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L-13.11.6. Offerors shall propose a firm-fixed price for each option period for phase-out services. This price will include all costs associated with Section C requirements.

L-13.11.7. Offerors shall propose separate firm-fixed monthly prices for Information System Certification and Accreditation, Physical Security, and Personnel Security for the base period and each respective option period. These prices shall include all costs associated with the activities described in Section C. Information other than cost or pricing data is required to support the proposed prices for these CLINs. Offerors should provide a cost build-up with supporting information to describe how the proposed prices were developed. Costs for the HIPAA security compliance requirement described in Section C shall be included as a cost of Information System Certification and Accreditation.

**L-14. INSTRUCTIONS FOR COMPLETING SECTION B-1**

L-14.1. Services required under this contract will include all necessary qualified personnel and related management and administrative support.

L-14.2. Services are to be furnished pursuant to Order for Supplies and Services, DD Form 1155, issued during the term of this contract. The duration of the transition in (Base contract period) is from the date of contract award through the following six months. This contract also contains 5 option periods which have a maximum duration of 1 year each. The options may be exercised in accordance with FAR Clause 52.217-9, "Option to Extend the Term of the Contract" contained in Section I.

L-14.3. The resulting contract will be a requirements contract against which orders will be issued. All services to be performed will be in accordance with the contract and set forth in orders with payment on a fixed-price basis for most CLINs; orders will be placed on 3 Contract Line Item Numbers (CLINs) on a per-event basis, negotiated in order to determine a fair and reasonable price.

L-14.4. The quantity of each CLIN cannot be determined in advance by DoD and actual needs may vary. The estimated quantity of each CLIN is based upon historical data, requests for preauthorization and appeals by Military Health System (MHS) beneficiaries and providers of care. Such submissions, requests, and appeals will be commonly referred to as a "case" or "cases".

L-14.5. CLIN 0001, Transition-In, represents the one time unit fixed price which includes all direct, administrative, overhead, travel expenses, and indirect costs, and reasonable profit as a result of complying with the requirements outlined in Section C, "Contract Transition In and Phase Out".

L-14.6. CLINs are comprised of the unit fixed price to perform on a per-unit basis, and include all direct costs, indirect costs, administrative overhead, and reasonable profit. A unit is an accepted case, review, report, etc., that complies with the review requirements specified in Section C of this solicitation.

L-14.6.1. SubCLINs 1007AB, 2007AB, 3007AB, 4007AB, and 5007AB, On-Site Review of Mental Health Facilities, include travel costs in addition to direct costs, indirect costs, administrative overhead, and reasonable profit.

L-14.7 CLINs 1010, 2010, 3010, 4010, and 5010, Travel, represent the daily per diem amount, and associated travel expenses (Air fare, rental vehicle expense, lodging, etc.) that are associated with travel in performance of contract work as directed by the Contracting Officer.

L-14.7.1. Associated travel expenses and per diem will be reimbursed in accordance with the Government's Joint Travel Regulations (see <http://www.dtic.mil/perdiem/>). The per diem rate allowed for lodging, meals, and individual expenses will be reimbursed. The contractor will be responsible for making necessary travel arrangements.

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L-14.7.2. The total amount of orders issued for any one of these CLINs during any single period (Base or option period) of contract performance will not exceed the amount of \$50,000.00 without the execution of a formal contract modification by the parties.

L-14.8 CLINs 1004, 2004, 3004, 4004, and 5004, Focused Studies. The offeror's hourly rate for focused studies will be proposed. The hourly rate will include all direct, indirect costs, administrative overhead, projected travel expenses (if any), and reasonable profit. The hourly rate will remain the same, regardless of the quantity ordered.

L-14.9. CLINs 1011, 2011, 3011, 4011, and 5011, Witness Appearance Services are a not to exceed amount of \$25,000.00 during a contract period. The initial price for each required appearance will be negotiated before issuance of an order and the services performed. The order amount will be comprised of the fixed price including all direct, indirect costs, administrative overhead, and reasonable profit. The total amount of orders issued for any one of these CLINs during any single period (Base or option period) of contract performance will not exceed the amount of \$25,000.00 without the execution of a formal contract modification by the parties.

L-14.10. CLINs 1005, 2005, 3005, 4005, and 5005, Phase-Out, represent the efforts to perform the Phase-Out tasks detailed in Section C. The fixed unit price is for costs when the contractor does not succeed itself. The fixed price will include all direct and indirect costs (severance pay may be considered in accordance with the offeror's policies) as specified in FAR 31.205-6, administrative overhead, and reasonable profit associated with closing out of this contract.

L-14.11. CLINs 0002, 1013, 2013, 3013, 4013, and 5013, Information System Certification and Accreditation, Physical and Personnel Security, shall be firm-fixed price for activities for the base period and each respective option period. This amount shall include all costs associated with the activities described in C-6.3. Costs for the HIPAA security compliance requirements shall be included as a portion of the cost of Information System Certification and Accreditation (CLINs 0002AA, 1013AA, 2013AA, 3013AA, 4013AA, and 5013AA).

**L-15. SUBCONTRACTING PLAN**

L-15.1. Offerors not designated as small businesses shall submit a subcontracting plan pursuant to Federal Acquisition Regulation (FAR) 19.702 and the clause 52.219-9 entitled "Small Business Subcontracting Plan". The subcontracting plan will meet the minimum requirements set forth in the FAR. The plan must be reviewed and approved by the Contracting Officer prior to contract award.

L-15.2. Offerors will submit information indicating the extent to which they attained applicable goals for small disadvantaged business participation under two contracts (in the past 5 years) that required subcontracting plans. If the offeror has not had 2 contracts that required subcontracting plans, the offeror must so state.

**L-16. CONFLICT OF INTEREST**

L-16.1. Each prospective offeror's attention is directed to FAR, Subpart 9.5, "Organizational and Consultant Conflicts of Interest."

L-16.2. Services required by the Government under this solicitation include tasks which may result in an offeror and/or its personnel, and proposed subcontractors, to review care managed and claims processed under MCSCs or DPs or to gain access to procurement sensitive information as defined by Title 41 United States Code, Section 423. Such task may include, but are not limited to personal and substantial involvement in the support of subsequent competitive acquisitions by appropriated funded contracts for services.

L-16.3. In order to avoid any organizational conflict of interests, or the appearance thereof, at a minimum, an offeror cannot have an agreement or a

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contract with an MCSC or DP at the time the proposal is submitted. The offeror shall submit, as a condition of award, a statement that it shall not offer in response to any solicitation, nor shall it be eligible for award of any contract, nor serve as a consultant or subcontractor to an MCSC or DP. "Offeror" includes the prime contractor and all subcontractors.

L-16.4. Offeror shall submit a signed statement attesting that the offeror will not have an organizational conflict of interest consistent with Section L-16. This restriction shall remain in effect from the proposal due date through a period of 6 months from the date of final acceptance of all work under the contract awarded from this solicitation and shall apply as well to any subsidiary, affiliate, joint venture, merged party, successor or assignee of the offeror.

**L-17. ATTACHMENTS**

L-17.1. The following attachments and documents form an integral part of this solicitation. The NQMC is required to comply with the direction provided by this section.

ATTACHMENTS IN SUPPORT OF PROPOSAL PREPARATION

Attachment L-1	Historical Data for Reconsideration Reviews
Attachment L-2	Historical Data for Option Periods 1 through 6
Attachment L-3	Past Performance Report Form
Attachment L-4	Terminated/not Renewed Contract Form
Attachment L-5	Key Personnel Form
Attachment L-6	February 2003 NQM Selection Documentation

(End of Section)